

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:18-md-2323-AB
MDL No. 2323

Kevin Turner and Shawn Wooden,
*on behalf of themselves and others
similarly situated,*

Plaintiffs,

v.

National Football League, et al.,

Defendants.

**THIS DOCUMENT RELATES TO:
ALL ACTIONS**

**DECLARATION OF SOL H. WEISS IN RESPONSE TO THE COURT'S ORDER
DATED 3/28/18 REGARDING THE ATTORNEYS' FEES QUALIFIED SETTLEMENT
FUND**

I, Sol H. Weiss, am an attorney licensed to practice before all the courts of the Commonwealth of Pennsylvania, the United States District Courts for the Eastern and Middle Districts of Pennsylvania, the United States Court of Appeals for the Third and Sixth Circuits, and the United States Supreme Court. I am President of the law firm of Anapol Weiss and appointed by this Court to serve as Co- Lead Class Counsel and on the Plaintiffs' Steering Committee. Anapol Weiss is seeking payment from the Attorneys' Fees Qualified Settlement Fund. Pursuant to 28 U.S.C. §1746, I hereby respond to the questions presented by the Court in its March 28, 2018 Order, based upon my personal knowledge, information and belief.

1. Anapol Weiss initially registered two hundred and sixteen (216) Settlement Class Members.

A. Forty-eight (48) Class Members subsequently discharged our Firm. Before registration opened seventy-one (71) retired Class Members discharged our Firm.

- B. Anapol Weiss currently represents one hundred and fifty-seven (157) Eligible Settlement Class Members in this litigation.
- 2. A. To date, five (5) Class Members have received a Monetary Award.
- B. Four (4) more Class Members represented by Anapol Weiss have been approved for a Monetary Award
- C. Seven (7) more Class Members represented by Anapol Weiss have applied for Monetary Awards and are awaiting adjudication.
- D. Based on my information and belief, four (4) additional Settlement Class Members will qualify for a Monetary Award after we receive a Diagnosing Physician's Certification. Additional Class Members await BAP Testing. Some, if the BAP results warrant, may also qualify for Monetary Awards.

3. Anapol Weiss represents one Settlement Class Member, who later signed a fee agreement with Wilshire Law Firm, P.C. Bobby Saadian of Wilshire Law Firm, P.C., arranged a Third-Party Litigation Loan. Thereafter, the Wilshire Law Firm contacted Anapol Weiss requesting we withdraw as Counsel. The Class Member, however, elected to remain an Anapol Weiss client.

Anapol Weiss also represented a Settlement Class Member who, against the advice of the undersigned, on his own obtained a cash advance with a Third-Party Litigation Funder. Shortly after receiving his loan proceeds, the Settlement Class Member terminated our services.

4. Other than the one Class Member discussed in the paragraph above, none of the Settlement Class Members represented by Anapol Weiss that have received an award, applied for an award or are awaiting approval of an award, have signed an agreement with a Third-Party Litigation Funder.

5. Anapol Weiss is not under any obligation to pay or forward any portion of funds for Settlement Class Members that have qualified for Monetary Awards other than for the Class Member who Wilshire Law Firm facilitated the Loan and to which Anapol Weiss has advised the Third-Party Litigation Funder that the advance is an "Assignment" and violates the Amended Master Settlement Agreement. That Class Member has not qualified for a monetary payment.

6. Anapol Weiss was not involved in nor had knowledge of the represented Settlement Class Member's association with the Third-Party Funder until after the contract had

been signed and the loan was disbursed to the Class Member. The other Settlement Class Member formally represented by the undersigned acted against the advice of counsel.

7. Anapol Weiss does not have any direct or indirect association with any Third-Party Litigation Funders.

8. The assignments referenced in Response #3 involving the player currently represented by Anapol Weiss is being litigated. The undersigned is currently unaware of the status of the Assignment involving the Settlement Class Member no longer represented by Anapol Weiss.

DOCUMENTS:

A-D. The redacted contract between the Settlement Class Members and the subject Third-Party Funders are attached hereto as Exhibit A and Exhibit B. All identifiable information and personal data pertaining to the Settlement Class Members have been redacted.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: 4/27/2018

Respectfully submitted,

ANAPOL WEISS

/s/ Sol H. Weiss
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CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing Declaration of Sol H. Weiss was served electronically via the Court's electronic filing system on the 27th day of April 2018 upon all counsel of record.

ANAPOL WEISS

/s/ Sol H. Weiss
Sol H. Weiss, Esquire